



Douglas T. Sloan  
City Attorney

December 4, 2019

VIA EMAIL: [76790-61545822@requests.muckrock.com](mailto:76790-61545822@requests.muckrock.com)

Freddy Martinez  
MuckRock News  
DEPT MR 76942  
411A Highland Ave  
Somerville, MA 02144-2516

RE: Response to Public Records Request received July 8, 2019  
Records pertaining to Facial Recognition Software

Dear Mr. Martinez:

This letter is in response to your July 8, 2019, request for documents under the California Public Records Ac. (Gov. Code, § 6250 et seq.), seeking **records pertaining to facial recognition**.

The City responds as follows:

**Request No. 1 – Records and materials related to the solicitation, acquisition, and use of face recognition technology and related software and services . . . includ[ing] but not limited to:**

- **Agreements:** contracts (including non-disclosure agreements), licensing agreements, nondisclosure agreements
- **Bid records:** Requests For Proposal (or equivalent calls for bids), sole source or limited source justification and approval documentation, documentation of selection, and other materials generated in the consideration and selection of the technology in question
- **Company relations and communications:** records related to meetings or follow-up actions with any vendors, companies, or other private entities marketing face recognition to this agency for immigration, intelligence, law enforcement, or other use.
- **Financial records:** purchase orders, invoices, and other memoranda and documentation.
- **Marketing records:** All marketing materials - unsolicited, requested, or otherwise - acquired from vendors of face recognition technology
- **Policy records:** any policy directives, guidance documents, memoranda, training materials, or similar records governing the use of face recognition technology for immigration, law enforcement, or other purposes. Any memoranda of understanding between this agency and other agencies to share data, access remote systems or other forms of information sharing with external agencies.

- **Training records:** training material governing the use, sharing, or access to any related data related to or collected by the face recognition software/technology, including the legal standard that is required before using the technology. Documents, should they exist, about training for bias in the use of facial recognition technology.
- **Use and function records:** Materials that describe the function of the software considered or in use by this agency, including emails, handouts, PowerPoint presentations, advertisements, or specification documents.
- **Validation and accuracy:** Records, reports, audits, and other documents sufficient to describe validation, accuracy, reliability, and policy compliance of the system.

. . . from January 1, 2017 – present . . . include: communications, memorandums, background papers, meeting minutes, email exchanges, or presentation materials: The City did not locate any records responsive to this request.

Please feel free to contact the Fresno City Attorney's Office at 559-621-7500 should you have any questions or concerns.

Very truly yours,



FRANCINE M. KANNE  
Chief Assistant City Attorney

FMK:rm [107710rm\fmk]  
Enclosure(s): Proof of Service

**PROOF OF SERVICE**  
CCP §§ 1011, 1013, 1013a, 2015.5  
FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

On **December 5**, 2019, I served the document described as **RESPONSE TO PUBLIC RECORDS ACT REQUEST FOR DOCUMENTS** on the interested parties in this action ☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list: ☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Freddy Martinez  
MuckRock News  
DEPT MR 76942  
411A Highland Ave  
Somerville, MA 02144-2516  
Email: [76790-61545822@requests.muckrock.com](mailto:76790-61545822@requests.muckrock.com)

☐ BY MAIL ☐ I deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I caused such envelope to be hand delivered.

☐ (BY FAX) I caused the above-referenced document to be transmitted by fax to the addressee(s) at the fax number(s) shown.

☐ (BY OVERNIGHT COURIER) I caused the above-referenced envelope(s) to be delivered to an overnight courier service for delivery to the addressee(s).

☒ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on **December 5**, 2019, at Fresno, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

  
Lorrie Mullins